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Privacy Act Gives the Citizen Standing With U.S.

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Private citizens will be able to find out what the government knows about them — and try to correct it if it is wrong — under a bill that Congress has passed and sent to President Ford.

Ford is expected to sign shortly, perhaps tomorrow, the new "Privacy Act of 1974," which both houses approved in final form yesterday.

The bill brings to an end more than a decade of study by congressional committees of government agencies' gathering of personal data about private individuals through wiretapping, surveillance by secret agents, and other forms of monitoring and investigation.

Final passage of a bill came now primarily because of the Watergate scandal, particularly revelations about spying on political dissenters, wiretapping on government aides and newsmen, and auditing of the tax returns of White House "enemies."

Most of the bill will go into effect nine months after the President signs it.

HOWEVER, ONE provision that is effective immediately creates a new Privacy Protection Study Commission. That seven-member panel will study the ways government agencies handle data about private individuals, and suggest possible new laws to give further protection to individuals' privacy.

The Senate's original version would have established a privacy board that would be able to enforce the protections provided by the new bill, and to recommend punishment of violators.

However, the House provided for no new agency of any kind. The compromise version that finally passed limited the new commission to a study role.

Both houses had passed the measure — in widely differing form — before Congress' Thanksgiving recess. Staff members from both sides of Capitol Hill have been at work privately since then, working out the final compromise bill.

The Senate approved it 77 to 8 on Tuesday night, the

House approved it unanimously and without debate yesterday, and the Senate went along last night on a minor technical change made by the House. That sent the bill to the White House.

The President had told Congress in October that he was "delighted" that privacy legislation was making its way through Congress. Although Ford had said he did not want a new privacy commission established, he was expected to be satisfied with the agency as only a study organization.

A key provision of the bill would permit an individual, in some situations, to refuse to tell an agency of the federal, state or local government what his Social Security number is.

THIS WOULD provide that an individual could not be denied "any right, benefit or privilege" — such as the right to vote, or the right to obtain a driver's license — merely because he declined to reveal his Social Security number.

However, that provision would not apply to any agency's records system that was in existence before Jan. 1, 1975, and it would not apply to any situation where federal law specifically requires disclosure of the number.

The final bill dropped a provision that had been in the Senate measure which would have extended the right to withhold a Social Security number to de-

mands for disclosure by private business. Some firms have required disclosure of the number for such things as loans.

The bill as finally passed contained these other main features:

- It requires an agency to tell an individual, if he asks, whether it has any records or files on him.
- It would give the individual access to records con-

taining "personal information" about himself, and allow him an opportunity to try to correct any false data. If the agency refuses to make a correction he had sought, the individual could go to court in an attempt to force the agency to do so.

- If an agency wants to pass the information around, particularly outside that agency, it would — in many cases — have to get

the individual's permission in writing.

- In demanding data from an individual, an agency would have to tell him whether he had any choice about answering, and any penalties that might follow if he did not answer.
- Illegal disclosures by an agency employee could lead to fines up to \$5,000, and demands by anyone under "false pretenses" to see

personal records could lead to similar fines.

Generally, however, the bill would not apply to law enforcement investigation files, "classified" files,

data given to agencies about a person being considered for a federal job, federal contract, and records of the Central Intelligence Agency.